[2026] NZTT 5412640

TENANCY TRIBUNAL AT REMOTE LOCATION | TE TARAIPIUNARA RETIHANGA

APPLICANT: Kāinga Ora–Homes And Communities

Landlord

RESPONDENT: [The respondent/s]

Tenant

TENANCY ADDRESS: 3 Elsie Morton Place, Papakura, Papakura 2110

ORDER

1. An application for suppression has been made in this case, and especially with the possibility of a counter application being filed, the Tribunal orders suppression of the Tenant's name and identifying details.
2. [The tenant/s] must pay Kāinga Ora–Homes And Communities **$644.94** immediately, calculated as shown below.

Description	**Landlord**	**Tenant**
Rent arrears to 29 October 2026	$117.14	
Wall and door repairs	$263.40	
Replace door	$215.95	
Cleaning: rangehood	$48.45	
Total award	**$644.94**	
Total payable by Tenant to Landlord	**$644.94**	

Reasons:

1. Both parties attended the hearing.
2. The landlord has applied for rent arrears and compensation following the end of the tenancy.

How much is owed for rent?

3. The tenancy ended on 29 October 2025 after the tenant gave notice to end the tenancy.
4. The landlord provided rent records showing the amount owing at the end of the tenancy.
5. The tenant says she does not think those records can be correct because she had a repayment arrangement in place.
6. She also says that she has not received a copy of the landlord's rent summary or of the entry and exit inspection reports and work order records the landlord has provided in support of its other claims.
7. I gave the tenant the option of adjourning the hearing to make sure she could be sent that evidence and respond to it before the claims were decided. The tenant was clear that she wanted the matter decided today.
8. In the absence of any other evidence, I find that the landlord's rent records prove, on balance, the rent arrears claimed.

Did the tenant comply with their obligations at the end of the tenancy?

9. At the end of the tenancy the tenant must leave the premises reasonably clean and tidy, remove all rubbish, return all keys and security devices, and leave all chattels provided for their benefit. See section 40(1)(e)(ii)-(v) Residential Tenancies Act 1986.
10. The exit inspection photographs show that while for the most part the premises were left reasonably clean and tidy, the rangehood was not. The cost of having it cleaned is proved by the work order records provided.

Is the tenant responsible for the damage to the premises?

11. A landlord must prove that damage to the premises occurred during the tenancy and is more than fair wear and tear. If this is established, to avoid liability, the tenant must prove they did not carelessly or intentionally cause or permit the damage. Tenants are liable for the actions of people at the premises with their permission. See sections 40(2)(a), 41 and 49B RTA.
12. A comparison of the entry and exit inspection photographs shows that during the tenancy the following damage was caused:
    a. there were holes in some walls and doors that needed to be patched and filled;
    b. a door was completely broken and needed to be replaced;
    c. the front of a kitchen cabinet drawer had become detached.

13. The tenant acknowledges that some wall and door damage happened and that a door needed to be replaced.
14. She says the drawer front just came off.
15. I am satisfied that the landlord should be compensation for the wall and door damage. The cost is proved by the work order records.
16. I do not find it proved on balance that the need for repair of the drawer front was from more than fair wear and tear. That claim is declined.
17. Shortly before the hearing the tenant provided photographs which she says show that the premises were not provided to her in proper condition. She is not happy with how her tenancy was managed.
18. This Order does not prevent the tenant from bring any claims she wants to for breach of the landlord's obligations. In fairness to the landlord those claims need to be through a separate application that the landlord then has reasonable opportunity to respond to.

B King
31 March 2026

Please read carefully:

Visit justice.govt.nz/tribunals/tenancy/rehearings-appeals for more information on rehearings and appeals.

Rehearings

You can apply for a rehearing if you believe that a substantial wrong or miscarriage of justice has happened. For example:

- you did not get the letter telling you the date of the hearing, **or**
- the adjudicator improperly admitted or rejected evidence, **or**
- new evidence, relating to the original application, has become available.

You must give reasons and evidence to support your application for a rehearing.
A rehearing will not be granted just because you disagree with the decision.
You must apply within five working days of the decision using the Application for Rehearing form: justice.govt.nz/assets/Documents/Forms/TT-Application-for-rehearing.pdf

Right of Appeal

Both the landlord and the tenant can file an appeal. You should file your appeal at the District Court where the original hearing took place. The cost for an appeal is $260. You must apply within 10 working days after the decision is issued using this Appeal to the District Court form: justice.govt.nz/tribunals/tenancy/rehearings-appeals

Grounds for an appeal

You can appeal if you think the decision was wrong, but not because you don't like the decision. For some cases, there'll be no right to appeal. For example, you can't appeal:

- against an interim order
- a final order, or the failure to make an order, where the amount in dispute on appeal is less than $1000
- a final order to undertake work, or the failure to make an order, where the value of the work in dispute on appeal is less than $1000.

Enforcement

Where the Tribunal made an order about money or property this is called a **civil debt**. The Ministry of Justice Collections Team can assist with enforcing civil debt. You can contact the collections team on **0800 233 222** or go to justice.govt.nz/fines/civil-debt for forms and information.

Notice to a party ordered to pay money or vacate premises, etc.

Failure to comply with any order may result in substantial additional costs for enforcement. It may also involve being ordered to appear in the District Court for an examination of your means or seizure of your property.

If you require further help or information regarding this matter, visit tenancy.govt.nz/disputes/enforcing-decisions or phone Tenancy Services on 0800 836 262.

Mēna ka hiahia koe ki ētahi atu awhina, kōrero ranei mo tēnei take, haere ki tenei ipurangi tenancy.govt.nz/disputes/enforcing-decisions, waea atu ki Ratonga Takirua ma runga 0800 836 262 ranei.

A manaomia nisi faamatalaga poo se fesoasoani, e uiga i lau mataupu, asiasi ifo le matou aupega tafailagi: tenancy.govt.nz/disputes/enforcing-decisions, pe fesootai mai le Tenancy Services i le numera 0800 836 262.